

Remarks

Claims 2, 4-5, 7, 11-12, and 14-15 were rejected as unpatentable over OVADIA 2004/0208544 in view of KARRI et al. 2002/0196808. Claims 3, 6, 8, 10, 13, and 16 were rejected as unpatentable further in view of NOMURA et al. 7,133,402. Claims 10-13 and 15-16 have been canceled. Reconsideration and withdrawal of the rejections of claims 2-8 and 14 are respectfully requested.

The Official Action relies on KARRI et al. for the port information table of claim 2. Claim 2 has been amended and KARRI et al. do not disclose the port information table of amended claims 2 and 14, wherein the port information table describes a location of each of the plurality of switch controllers and where the port information table is used to select a target switch controller associated with the target port using the locations of the plurality of switch controllers described in the port information table.

By contrast, KARRI et al. describe a port information table that includes port numbers, but not the locations to the switch controllers. The label switching routers in KARRI et al. select the ports, not the switch controllers.

Accordingly, the amended claims avoid the rejection under §103.

In addition, there is no reason for one of skill in the art to combine the references in the manner suggested in the Official Action.

The Official Action acknowledges that KARRI et al. do not disclose all of the limitations of the claims and relies on OVADIA for the missing limitations. The Official Action suggests that the artisan would choose the particular features from OVADIA that are missing from KARRI et al. because this would "enhance the system in a cost effective manner." However, there is nothing in OVADIA or the art that suggests why the particular features that the Official Action has selected from OVADIA would make the system in KARRI et al. more cost effective. OVADIA disclose a number of features; why do the ones that are missing from KARRI et al. happen to be the ones that make the KARRI et al. system cost effective? Why would the artisan pick these features from the many disclosed in OVADIA? The general and universal motivation to enhance cost effectiveness is not sufficient basis for the artisan to pick the very features that are missing from KARRI et al. Absent some particular motivation to choose these features, the Official Action is impermissibly picking and choosing features; there must be some concrete basis for choosing the features from OVADIA that are missing from KARRI et al.

Further, OVADIA does not suggest that the particular features selected in the Official Action contribute to cost

effectiveness in the OVADIA device; why would they contribute to cost effectiveness in the KARRI et al. device?

Accordingly, the artisan would not make the combination suggested in the Official Action and the claims further avoid the rejection under §103.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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